

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

Holly Buchanan,

Plaintiff,

v.

Marc Kitchens, individually and in his
official capacity as Clerk of Court of
Spartanburg County; Clerk of Court of
Spartanburg County; and Spartanburg
County,

Defendants.

ORDER

C.A. No.: 7:09-cv-01433-JMC

This matter is before the court on Defendants' Motion for Summary Judgment [Doc. 41] on Plaintiff Holly Buchanan's claims of retaliation pursuant to 42 U.S.C. § 1981 and Title VII of the Civil Rights Act of 1964, as amended. The Magistrate Judge's Report and Recommendation [Doc. 59] recommends that Defendants' motion be granted. After a thorough review of the record in this matter, the applicable law, the Magistrate Judge's Report and Recommendation, and the objections filed by Plaintiff, the court adopts the Magistrate Judge's Report and Recommendation.

The Magistrate Judge's Report and Recommendation is made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 for the District of South Carolina. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objections are made, and the court

may accept, reject, or modify, in whole or in part, the Magistrate Judge's recommendation or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1). The Report and Recommendation sets forth in detail the relevant facts and legal standards on this matter, and the court incorporates the Magistrate Judge's Report and Recommendation herein without a recitation.

After receiving the Magistrate Judge's Report and Recommendation, Plaintiff timely filed objections. Objections to the Report and Recommendation must be specific. In the absence of specific objections to the Magistrate Judge's Report and Recommendation, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Although Plaintiff filed lengthy objections, the court finds that Plaintiff's objections are merely restatements of the arguments made in her initial filings and do not alert the court to matters that were erroneously considered by the Magistrate Judge.

Accordingly, after a thorough review of the Magistrate Judge's Report and Recommendation and the record in this case, the court adopts the Magistrate Judge's Report and Recommendation and incorporates it herein. Defendants' Motion for Summary Judgment [Doc. 41] is **GRANTED**.

IT IS SO ORDERED.



United States District Judge

Greenville, South Carolina
December 12, 2011